The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS (agenda item 7)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Spain (E/1990/7/Add.3) (continued)

1. At the invitation of the Chairman, Mrs. Batres, Mrs. Cases and Mrs. Gavira (Spain) took places at the Committee table.

2. Mrs. CASES (Spain), responding to Mrs. Ider's question about the funding of education, referred her to page 10 of the written replies submitted to the Committee the previous day regarding consideration of the 1989 periodic report. The amount of State funds available for private education at pre-school level was Ptas 172,185,360 million; for first-grade vocational training, Ptas 23,334,983 million; for second-grade vocational training, Ptas 8,816,389 million; for secondary and university entrance courses, Ptas 8,479,010 million; and for special education, Ptas 9,135,913 million; a total of Ptas 221,951,655 million.

3. There were only a very few private universities in Spain, all of which were Catholic universities. However, six new non-Catholic private universities were to be set up shortly.

4. The sole cost to the student of a public university education was the cost of registration, Ptas 55,000 annually for non-scientific courses and Ptas 65,000 for scientific courses. Grants were available to assist students unable to meet those fees. If a student had to study away from home, grants were available to cover the cost of accommodation, transportation and books. Students who had a family to support and who had left employment in order to study at university were compensated in full for the loss of income entailed. Given that the only cost to be met by the student was the modest registration fee, it could be said that the vast majority of university students in Spain were being educated virtually free of charge. Nevertheless, students had no direct obligation towards the Government once they had completed their education; the only requirement being that the grants made available should be devoted exclusively to the studies for which they had been awarded.

5. The Ministry of Education and Science ran programmes whose purpose was to ensure that educational standards in rural areas were the same as those in urban areas. It had established resource centres, where rural teachers could have access to materials and exchange experiences with colleagues. Teachers in rural areas were usually young, enthusiastic and dynamic. No economic incentives were offered; but teachers in rural areas were awarded points for each year's service, which would assist them in their subsequent administrative or teaching careers.

6. On the question of participation in campaigns to eradicate illiteracy, she said that two Sub-Directorates-General of the Ministry of Education and Science were responsible for planning the network of centres for the adult population, for organizing courses and for training teachers. The local

authorities played a very important role in that regard: the Ministry of Education and Science and the authorities of the Autonomous Communities had concluded a number of agreements with the local authorities to promote adult education.

7. With regard to the attitude of the young towards further studies, she said that in the past young people had had little faith in further education courses that clearly failed to meet their needs. One purpose of Organic Law 1/1990 (LOGSE) had been to improve that obsolete system. Young people's attitudes were now changing markedly: social advancement had become an important factor in education. Truancy rates had fallen, and there was now a very considerable demand for non-compulsory secondary education, university education and, in particular, vocational training. A university education had once been seen as the only worthy outlet for young people's talents. However, many students now preferred to gain more rapid access to the world of work than was possible for those following conventional university courses. The new higher-grade vocational training courses had been designed to cater for such students.

8. Mrs. Ider had asked how the educational system was evaluated. Evaluation took place at two levels, internal and external. The School Council to which she had referred in her previous statement carried out a year-by-year internal review. The system was also evaluated externally, by the Schools Inspectorate. In addition, the new teaching methods recently introduced had been tested in a small number of pilot schemes, which had been assessed by independent bodies, and then modified on the basis of that assessment. As for the ultimate objective of the heavy investment on education in Spain, it was designed both to provide all citizens with equal opportunities and also to promote economic development. Education was also intended to produce responsible, public-spirited and contented citizens.

9. Turning to Mr. Simma's questions, she began by apologizing for the lack of statistics in the 1990 report by Spain, and presented the Committee with two volumes of statistics which, she hoped, would provide it with all the information it needed.

10. Mr. Simma had asked how Spain's linguistic and cultural plurality was respected. Spain was proud of its varied cultural and linguistic heritage, which it saw as enriching its national life. Catalan, Basque and Galician were taught, not only in their respective territories, but also in the official language schools, which often had difficulty in meeting the demand for those languages. Furthermore, in Spanish-speaking areas such as Aragon, which were adjacent to the Autonomous Communities, the language of the neighbouring Community was taught to the same level as foreign languages.

11. With regard to fulfilment of the constitutional and statutory obligations to provide training for peace, she said that such training could not be provided merely by offering a specific course in the subject. Training in peace and tolerance had its place in mathematics classes, languages classes, and in the playground. Specific training courses were available to staff, to enable them to integrate the task of training for peace into all aspects of the daily life of the school.

12. With regard to the number of foreign languages taught, she said that, even before the promulgation of LOGSE, there had been provision, introduced at the start of the 1985/86 academic year, for any establishment so wishing to teach a second foreign language, and to be provided with the necessary resources to do so. LOGSE provided for the teaching of one foreign language from the age of eight, with a second foreign language introduced at secondary level. It should also be borne in mind that in the Autonomous Communities, children were required to learn both the local language and Spanish, the official language of the nation.

13. Overcrowding was a problem at only one university, the Universidad Complutense de Madrid, where it reflected, not of a lack of resources, but the immense popularity of that university among students. Other universities, such as the Carlos III University in Madrid, had been set up to ease the problem of overcrowding at Complutense. In so far as there was a problem, it was one that could swiftly be overcome. She drew attention to the excellent teacher/student ratio at many universities: at Carlos III, for example, none of the classes had more than 40 students.

14. It was difficult to say how teachers' salaries compared with those in industry, since salaries obviously differed in the private and State education sectors. In the State sector, a primary school teacher was paid Ptas 140,000 monthly, after tax; a teacher at secondary level received Ptas 160,000; a university lecturer, Ptas 260,000; and an assistant lecturer, Ptas 200,000 per month. It was possible to enjoy a decent standard of living on those salaries. In Spain, there had never been a tradition for teachers of law to practise as lawyers, comparable to the tradition in medical faculties; and law teachers were now in any case prohibited by law from so doing. In her view, teachers could never be over-paid - a view clearly shared by the administration, which had made provision for an 18 per cent pay increase for teachers in the 1992 budget.

15. Turning to the question whether any of the provisions of Organic Law 1/1990 (LOGSE) were jeopardized by opposition from the Catholic Church, she stressed that the Church had opposed LOGSE on only one point. Formerly, the Catholic faith had been taught to all pupils at pre-university levels so requesting, while those not wishing to receive instruction in the Catholic faith had been required to attend a class in "ethics", which, in actual fact, was merely instruction in the Catholic faith under another name. Under LOGSE, schools must now ensure that any pupil wishing to study the Catholic faith or other religions had the opportunity to do so; the course in "ethics" was abolished. It was the abolition of that compensatory course that the Catholic Church had opposed. However, it had found little support for its opposition in society at large. She drew attention to the fact that, under its Constitution, Spain was a country with no established religion. Of course, a large percentage of Spaniards were practising Catholics; but there were also many agnostics.

16. Mr. SIMMA asked for clarification of the meaning of the term "established religion".

17. Mrs. CASES (Spain) said that the Constitution defined the country's religious status as "aconfesional". In other words, despite the fact that a large proportion of the population were practising Catholics, there was

no longer any legal basis for defining Spain as a Catholic country. Spanish society showed equal respect for practising Catholics, adherents of other religions, and those with no religious beliefs. Furthermore, the separation of Church and State was also embodied in the Constitution.

18. Returning to the remarks made the previous day by Mr. Alvarez Vita, she again stressed that, in Spain, the sole criterion for appointment to a national delegation was professional competence, and that discrimination on grounds of sex was a thing of the past.

19. Mr. Alvarez Vita had asked why the reforms introduced by Organic Law 1/1990 (LOGSE) had not been submitted to a popular referendum, in view of Spain's Catholic culture. However, she had already pointed out that the only provisions of LOGSE opposed by the Catholic Church had been those relating to the teaching of the Catholic faith and Catholic morality in schools, objections that had not been upheld by the Government.

20. Mr. ALVAREZ VITA said that his question regarding the desirability of a referendum had related to the matter of sex education. Furthermore, he wished to repeat that his remark on the composition of the Spanish delegation had been intended to draw attention to the fact that great progress had clearly been made in eliminating sexual discrimination in Spain.

21. Mrs. CASES (Spain), replying to various questions from Mr. Alvarez Vita, said that under Spanish labour legislation, maternity leave could be taken by the father or by the mother, at the choice of the couple. With regard to the extent of the literacy campaign, there was a programme for mature adults and the elderly to promote literacy in their mother tongue. The campaign was organized by the Ministry of Education and Science with the participation of the autonomous regions and the local municipal authorities (Juntamientos).

22. She would like to state emphatically that there was no discrimination of any kind against the Basques - on the contrary, Spain had taken positive action in their favour in the 1970s when it appeared that their native tongue was imperilled. At that time, owing to lack of resources, the State did not subsidize pre-school centres but only EGB establishments. However, in the case of the Basques, even before the establishment of the Autonomous Regions, subsidies had been given to pre-school centres to safeguard the linguistic heritage.

23. There was no discrimination either against persons from Equatorial Guinea: children attended ordinary Spanish schools and were given special support teaching if required. She assumed that Mr. Alvarez Vita's reference to the Jews had been prompted by an article in the newspaper El País on 2 December 1991 stating that 27,000 Israelis had travelled to Spain in 1990. They had not come to settle but as visitors - however, they would have been welcomed in either case. Spain gladly accepted its inheritance of Sephardic culture. Some six years previously, Spain had re-established relations with Israel.

24. With regard to special support for young people, article 50 of the Constitution provided for something similar for the elderly. With regard to university teaching, Mr. Alvarez Vita had inquired why advantage was not taken

of retired academics if there were insufficient teachers. The fact was that some universities received too many applications from students while others were undersubscribed. Emeritus Professors continued to teach, particularly in medicine and music. There were about 50 new areas of university specialization with courses of varying duration, which sought to satisfy the requirements of a society in transition and of a changing labour market. The new subjects included ecology, health disciplines, management and entrepreneurship and marine sciences. In primary education, one of the most rewarding programmes had been the programme to integrate handicapped children in normal schools. Such children, whether with physical or mental disabilities or from ethnic minorities, received special assistance and a good pupil teaching ratio of 20 per teacher, a group which would include 2 handicapped children and 18 normal children. Those with difficulties learned to cope with the learning speed of normal children and the others learned tolerance. Very often, the handicapped had better marks than normal children. There were special centres for disabled children who could not be integrated.

25. Finally, she said that the sex education campaign had been conducted by the National Institute of Youth. In her opinion, it had been a useful exercise, which should have offended no one. There was public alarm at the number of unwanted pregnancies and teachers must inform their pupils about sexuality.

26. Mrs. BATRES (Spain), replying to Mr. Sparsis on the subject of vocational training, said that a decree of 1976 had stipulated that training centres should arrange for students to acquire experience in local enterprises. In 1982, an agreement had been signed between the Ministry of Education and Science and the Spanish Confederation of Industry to provide practical working experience for second-grade pupils. That had been followed by an agreement at the provincial level between the provincial branches of the Ministry of Labour and provincial federations of industry. Consequently, agreements between training centres and individual enterprises, related to a particular course were approved by both sides. A tutor in the training centre and an official of the enterprise supervised the students and joint evaluation by both sides followed. On an average, students spent two days a week, for five hours a day, working in the enterprises. Under the scheme, the enterprise received a token amount of payment per pupil per day and the pupil was given a grant to cover out-of-pocket expenses, such as extra transport, and lunch. The scheme operated in both public and private sector enterprises and an attempt was made to rotate students between the two. Frequently, students were offered jobs in the private enterprises in which they were working before they had completed their course. Sixty per cent of students following such courses were boys and 40 per cent girls.

27. With regard to job counselling, career guidance officers were available to give individual advice before students completed their EGB course. Previously, a charge for vocational training had been deducted at source from workers' pay but since 1986 the item had been a specific heading in the state budget under the Ministry of Labour. To some extent that impinged on the competence of the Ministry of Education and Science, particularly in respect of projects. There was a General Vocational Training Council, chaired alternately by representatives of the Ministry of Labour and the Ministry of Education and Science on which trade unions, industry and

social workers were represented and information about vocational training was evaluated. Since 1988, provincial councils composed of representatives of the Ministry of Labour, the trade unions and local industry had been established to undertake planning on a regional basis in order to match training courses to the requirements of local enterprises. With regard to the financing of education and vocational training in the Basque Autonomous Region, there was no direct transfer of funds but the population decided its own budget priorities. The problems there were similar to those in the other Autonomous Regions.

28. Mrs. CASES (Spain) amplifying previous information about the agreements between the public authorities and private educational establishments (conciertos educativos) said that they were legal instruments in the form of a contract whereby the State and the establishment concerned assumed mutual obligations. The State allocated a certain amount annually which covered staff salaries (paid directly by the Ministry of Education and Science), running costs of the establishment (paid to the proprietor of the school) and various other expenditures, such as pensions for retired staff. In its turn, the school agreed to provide education free of charge and to accept pupils without discrimination. If requests for places exceeded the number of vacancies, the school had to select pupils in accordance with criteria established by the Ministry. Finally, staff were to be appointed solely on grounds of merit. The working conditions of staff in private and public establishments were not exactly the same. In private establishments teachers were employed by the owner, subject to a contract renewable each year. Teachers in public establishments gained their posts through competitive examination and were in no danger of dismissal, since they came under the legislation relating to civil servants. On the other hand, they were subject to the requirements of the local authorities. They also worked fewer hours but within two years the hours for teachers in both types of establishment would be the same. Formerly, salaries had been substantially higher in the public sector and they were still slightly so but salaries in private establishments were being brought into line. With regard to drug addiction, the Ministry of Education and Science had appointed a group of teachers to work on that problem. Mr. Neneman had asked a question about grants for poor students to enable them to attend university. The position was that any student of sufficient ability could attend university since he, or his family, would be compensated to the extent of the amount he would have earned in employment. The content of educational syllabuses was approved by the Government; in primary and secondary education, stress was laid on language, history, the local language, one foreign language and physical education. Authorities in the autonomous regions had considerable discretion to modify the syllabus locally. There was no real problem of prostitution in Spanish schools. However, there had formerly been a considerable problem of drop-outs which was one of the main reasons for the changes to the system. Currently, the rate of absenteeism had declined and public opinion in Spain generally was much concerned with providing educational opportunities for the young. Children from ethnic minorities, such as gypsies, sometimes did not attend school and special teachers were appointed to follow such cases up and make contact with the families. Teachers were given time for research; there were teacher centres, where they could exchange experiences and participate in refresher courses. Teachers were awarded bonus points for research work and they could, if they wished, take a sabbatical year to devote to research.

29. She wished to repeat that there was no Basque minority in Spain: there was a proper respect for Basque culture and the relevant regulations were implemented in strict compliance with the spirit of the Constitution.

30. Students were being increasingly encouraged to study abroad for a period: they were assisted by grants from Erasmus and the Fulbright Foundation and government scholarships for scientific research. With regard to foreigners teaching in Spain, legislation was being completed to comply with the relevant European Community directive.

31. Mrs. GAVIRA (Spain) said that in order to understand the statistics relating to culture in Spain, the members of the Committee should bear in mind that the categories adopted by Spain for the breakdown of cultural expenditure did not correspond exactly to those recommended by UNESCO. In addition, the Autonomous Communities also adopted their own categories, which frequently differed from one Autonomous Community to another, and some Communities included under cultural expenditure items that were not strictly of a cultural nature.

32. In reply to Mrs. Ider's question on the financing of theatres, libraries and museums, she said that approximately 70 per cent of libraries were municipal, 4 per cent regional, while 8 per cent belonged to the Autonomous Communities and only 3 per cent were national. As far as museums were concerned, 32 per cent of them were local, 8 per cent belonged to the Autonomous Communities, 6 per cent were national, and 40 per cent of museums were privately owned either by non-profit-making foundations or by private enterprises. With regard to theatres and cinemas, she said that as might be expected 78 per cent of cinemas were privately owned, 19 per cent were owned by local authorities and 1 per cent each by Autonomous Communities and by the State. The apparently low figure for State ownership was misleading, as the State was often involved indirectly, for example in the network of provincial libraries, and it provided funds for construction and renovation work.

33. A law on sponsorship was currently being prepared in Spain in order to encourage private sponsorship of the arts, for example by granting tax benefits. In terms of expenditure on culture, the most recent figures available concerned 1988, and showed that the central Government and the Autonomous Communities had each provided 30 per cent of cultural expenditure, while local authorities had provided 40 per cent. That breakdown reflected the results of the decentralization of responsibility for culture in Spain.

34. Mr. Alvarez Vita had asked a question in connection with articles 145 to 147 of the Spanish Copyright Act 22/87. She said that in her view the provisions of those articles were in no way in conflict with the requirements of the Covenant as the three articles in question, which concerned respectively authors, artists and performers and the producers of records and audio and video recordings, stipulated that in every case foreigners were entitled to such protection as was afforded by the international treaties and agreements to which Spain was a party, and in particular by the International Covenant on Economic, Social and Cultural Rights, article 15.2 (c) of which guaranteed such protection.

35. With regard to entry charges to museums, she said that the decree of 7 April 1986 had extended free entry into public museums in Spain to foreigners resident in Spain. Entry was also free for young people from the European Economic Community. However, the State was of course unable to determine the level and the nature of entry charges to private museums.

36. In reply to Mr. Sparsis' question on the percentage of the budget allocated to education and culture in the Basque country, she said that it should be borne in mind that the Autonomous Communities were independent and that the central Government had no say in their allocation of resources. However, she informed the Committee that the Basque country was one of the regions with the highest expenditure on education and culture and that it spent five times the average per capita figure for the Autonomous Communities as a whole. In reply to Mr. Neneman's question on subsidies for opera and orchestras, she said that unfortunately opera was not popular in Spain and that while the Government did provide subsidies for music as a whole, none of it was specifically earmarked. Regarding Spain's relations with the Hispanic world, she informed the Committee that the Instituto Cervantes, whose objective was to promote the Spanish language and culture throughout the world, had just been established by decree. Spain naturally had a special relationship with Latin America, which was channelled in particular, through the Spanish Agency for International Cooperation, and mutual cultural exchange was extremely rich. For instance, there was a Venezuelan television programme that was extremely popular in Spain.

37. As to whether the Catholic Church attempted to impose its own values in the cultural field, she said that the Church expressed its views through the same democratic channels as any other body. The Spanish Episcopal Conference from time to time published its views on a particular aspect of culture, and the Church could also express itself through the media or through sermons in churches.

38. In reply to Mr. Konate's question on the absence of any reference to the Basque minority, she pointed out that the Basques were not considered a minority in Spain. The Basque culture was one of the components of Spanish culture as a whole, and the State was committed not only to protect it, but also to ensure its promotion.

39. The CHAIRMAN thanked the Spanish delegation for their extremely comprehensive replies and invited members of the Committee to ask any further questions they might wish to raise.

40. Mr. SPARSIS, said that he understood that salaries and working conditions in Spain were determined by free collective bargaining. In the light of that consideration, he asked how the State proposed to harmonize salaries and working conditions in private and public education.

41. Mrs. CASES (Spain) said that salaries and working conditions in private establishments were indeed set each year by a collective agreement between the teachers' unions and the employers' organization. She had been referring to the salaries and working conditions of teachers in private establishments that had signed an agreement with the State whereby they entered into a number of commitments, and which could provide channels for harmonizing the salaries of their teachers with those of teachers employed directly by the State.

42. Mr. SIMMA said that his question concerned articles 10, 13 and 14 of the Covenant jointly, and was connected with the fact that there had been a large increase in recent years in the number of unmarried mothers. He asked what sort of assistance existed for a young woman who had a child and then wished to pursue her studies. Did the State provide any child-minding facilities to make it easy for unmarried mothers to continue their studies and did it relax the deadlines set for examinations in order to take account of their particular situation? He knew from personal experience that the situation of married mothers was better in France than in his own country, and he asked for information on the situation in Spain.

43. Mrs. CASES (Spain) said that although she was unable to cite the specific legal provisions relating to the question, which came within the sphere of the Ministry of Socal Welfare, she knew that the Ministry had encouraged the establishment of homes for single mothers and their children and that it provided them with economic assistance. As to the question of flexibility regarding deadlines, she said that Spanish legislation in general was more flexible than German, and allowed students to break off their studies for a period if their personal circumstances so required.

44. Mr. MRATCHKOV asked whether the Spanish Constitution established that international treaties and Covenants ratified by Spain automatically took precedence over domestic law, or whether specific implementing legislation was required in order to make them effective in Spain.

45. Mrs. CASES (Spain) said that if Spanish legislation was not in conformity with Spain's international treaty commitments then it would be modified, as there was indeed an article of the Constitution that stipulated the supremacy of international treaties over Spain's domestic law.

46. Mr. ALVAREZ VITA said that he was surprised by the reply to Mr. Mratchkov's question. He had already drawn attention to what he considered to be a conflict between Spanish legislation and international norms relating to intellectual property. There was a blatant contradiction between two of the articles of Spain's law on intellectual property, which had clearly not been modified to ensure its conformity with international law. As the matter he had raised was an extremely technical one, it would not be necessary for the Spanish delegation to reply immediately but at a later date, if it so wished.

47. Mrs. CASES (Spain) said that the Spanish delegation would be pleased to send any additional information that might be requested by the Committee. However, the delegation, which comprised two jurists, was competent to reply to the question put by Mr. Alvarez Vita and had clearly stated that in its view there was no conflict between Spain's domestic law and its international commitments. There was clearly a difference of opinion in that respect, although she did not think that it would be possible to settle that difference of opinion by taking extra time to prepare an additional reply.

48. Mrs. GAVIRA (Spain) offered to send Mr. Alvarez Vita a copy of the conclusions of the Ibero-American Congress on Intellectual Property which had recently been held in Madrid, as it was clear that he had a particular interest in that field.

49. Mr. KONATE asked whether Spain was a signatory to the Berne Convention for the Protection of Literary and Artistic Works which specifically prohibited discrimination between national and foreign authors. As it stood, Spanish legislation appeared to be in conformity with Spain's international obligations, although if Spain was a party to the Berne Convention, Spanish legislation might require amendment, although he did not believe, a priori, that such was the case.

50. Mr. ALVAREZ VITA said that he was prepared to examine Spanish law with any of his colleagues on the Committee in order to compare it with Spain's international commitments. He was confident that the examination would clearly show that the contradiction to which he had drawn attention indeed existed. He had informed the Spanish delegation of the possibility of replying later, not in order to cast any doubt on its competence, but merely to inform it of a possibility of which countries frequently availed themselves.

51. The CHAIRMAN said that the issue of intellectual property was clearly an extremely technical one and suggested that it would be preferable for the Government of Spain to send a more detailed reply on the issue at a later date. He was extremely gratified by the rewarding dialogue between the Committee and the Spanish delegation, and he informed the delegation that the Committee would inform it of its concluding observations on the report of Spain.

52. Mrs. Batres, Mrs. Cases and Mrs. Gavira (Spain) withdrew.

Finland (E/1990/7/Add.1) (continued)

53. The CHAIRMAN invited Mr. Neneman to submit the draft concluding observations he had prepared on the report of Finland.

54. Mr. NENEMAN read out the following concluding observations on the report of Finland covering articles 13 to 15 of the Covenant:

> "Members of the Committee expressed their gratitude to the representative of Finland for the presentation of the report and for excellent responses to the written questions submitted by the pre-sessional working group. As to the report itself, the prevailing opinion was that it was too short and not sufficiently informative. It did not do justice to the existing situation in the field of education and culture in Finland which, as was noted, could be a model for many other countries.
>
> A few critical remarks expressed by the Committee members concerned persistent disparities among the regions, an insufficient proportion of women working in certain areas of the economy, and the disappearance of private educational institutions due perhaps to the insufficient financial support and lack of authorization for the issuance of the necessary certificates.
>
> Members sought more information on the problems of minorities, immigrants, and disabled and retarded children.

The role of the Advisory Board for International Human Rights Affairs, including its composition and participation in the preparation of reports to international supervisory bodies, also required further clarification.

Members were also interested in programmes for teaching human rights at schools and in the role of trade unions and employers in setting standards for vocational education to safeguard its practical pro-industry orientation.

Responses by the Finnish representatives to the above queries were fully sufficient and enabled the Committee to express its satisfaction with the implementation of articles 13 to 15 of the Covenant on Economic, Social and Cultural Rights in Finland."

55. Mr. RATTRAY expressed broad agreement with the proposed text of the concluding observations, but thought that some points required further elaboration. He therefore proposed two additions to the critical remarks in the second paragraph, namely "the problem of drop-outs in schools", and "the possibility of regression in respect of advances in education arising from decentralization and provision for funding of education through municipalities".

56. He also proposed, after consultation with Mr. Neneman, to reword the final paragraph, which conveyed the impression that the situation regarding the realization of economic, social and cultural rights in Finland was perfect, whereas there was room for improvement in any country. The paragraph would now read: "Responses by the Finnish representatives to the above queries were generally satisfactory and, in so far as answers were not available, the delegation promised to provide further information. The Committee expressed its satisfaction with the significant strides made by Finland in the implementation of articles 13 to 15 of the International Covenant on Economic, Social and Cultural Rights."

57. Mrs. IDER suggested adding a reference commending Finland's individual approach to education, a remarkable achievement which could be of great interest to other countries. Particularly impressive were the 60 languages used as the medium of instruction in ordinary schools and the variety of subjects taught.

58. The CHAIRMAN said that specific formulations were needed at the present stage in the Committee's deliberations. Moreover, in the concluding observations any comments should be directly related to articles of the Covenant. That being said, and speaking in a personal capacity, he felt that the Committee should be cautious in singling out issues for special commendation. The Committee's role was to examine the extent of a State party's compliance with its obligations under the Covenant and not to comment on the general desirability or otherwise of its policies or practices.

59. Mrs. IDER said that, while she would defer to the Committee's wishes in the matter, she would specifically suggest deleting the final full stop and adding the phase ", in particular the experience in the individual approach in education" at the end of the first paragraph of the draft.

60. The CHAIRMAN suggested the following reformulation for greater clarity: "in particular the emphasis placed upon the rights of individuals in the approach to educational opportunities".

61. Mrs. IDER expressed some doubts about the Chairman's proposal, which seemed to be reversing the issue.

62. Mr. WIMER ZAMBRANO said that he would not object to the inclusion of Mrs. Ider's amendment, but he took the Chairman's point about judging reporting countries' policies and did not wish to set a precedent.

63. He regretted that the draft concluding observations were not available in all languages, since the Spanish version he had heard would need recasting.

64. Mrs. IDER agreed that it would be preferable to have the text in all languages; in order to facilitate the Committee's adoption of the concluding observations proposed by Mr. Neneman, however, she would withdraw her draft amendment.

65. The CHAIRMAN commended the spirit in which Mrs. Ider's proposal had been made, and said he took it that the Committee agreed to the concluding observations proposed by Mr. Neneman, as amended by Mr. Rattray, on the understanding, with reference to Mr. Wimer Zambrano's comment, that they would be subject to review when the Committee adopted its report with all the language versions to hand.

ORGANIZATION OF WORK (agenda item 4) (continued)

66. The CHAIRMAN said that the comment made by Mr. Wimer Zambrano about the availability of all language versions of the draft concluding observations raised the issue of the refinement of the Committee's procedure for considering concluding observations. It was important for an outsider looking at the Committee's work to be faced with a precise, informative set of conclusions. He would suggest that in future the concluding observations should be drafted, as at present, by an individual member in consultation with other interested members but that the draft should then be translated and circulated, still on an informal basis, in all languages so that it could be discussed fully before a final text was adopted. The proposed procedure would mark a shift towards a more sophisticated approach in the Committee's work which was justified by a dramatic change in the external environment and a consequent easing of the pressure formerly brought to bear on Committee members, and by the growing maturity of the Committee itself.

67. Mr. SIMMA, endorsing the Chairman's comments, said that such a procedure would also make a step towards an assessment, albeit a modest one, of the realization of the rights covered by the Covenant. The Committee on the Elimination of All Forms of Racial Discrimination was also in the process of adopting a similar procedure.

68. Mrs. JIMENEZ BUTRAGUEÑO fully agreed that the text of the concluding observations should be available in all the working languages. She was strongly in favour, however, of continuing with the procedure - which had been introduced the previous year and had worked very well so far - of designating

one member to draft the initial concluding observations with backing from a member from the region concerned or familiar with it, and another volunteer, subject to a full discussion in the Committee on the basis of all the language versions.

69. Mrs. IDER supported the proposal to refine the Committee's methods of drafting its concluding observations.

70. Mr. KONATE felt that it was inappropriate to alter the Committee's method of drafting concluding observations at the present juncture; the method previously adopted was flexible and saved time, and all members had an opportunity to consult with the person entrusted with the draft before it was submitted to the Committee. Any further amendments could be made at the final adoption stage.

71. The CHAIRMAN specified that the proposal was not intended to frustrate the work of those already engaged in drafting concluding observations, such as Mr. Konate whose work on the Swedish report was nearing completion. The proposed new procedure would differ from the current method only in that some delay would be incurred by requesting translation at an earlier stage in the proceedings.

72. Mr. MARCHAN ROMERO said he understood the Chairman's proposal to have related to the question of language versions and not to the need for consultations at the initial stage with all members, thus incurring further delays. He personally preferred to see a text in his own language.

73. A matter of particular concern to him was that of consistency in the Committee's approach to reports from different States when drafting its concluding observations.

74. The CHAIRMAN said he believed that the proposed refinement of the Committee's procedures would be a step in the direction of greater consistency. An alternative might be to include the draft concluding observations prepared by the designated member in its draft report and for the Committee to consider them only at the final adoption stage.

75. Mr. SIMMA said that the drafting of the concluding observations required the utmost care, since they constituted the part of the report that would certainly be read by the States concerned. He was therefore in favour of proceeding on the basis of all the language versions, but was not sure that there would be enough time for them to be discussed in full if they were left until the last two days of the session.

76. The CHAIRMAN, said if there was no objection, he would take it that the Committee agreed to adopt the proposed new procedure in the future. In order to meet Mr. Konate's concerns, however, the latter's draft concluding observations on the report of Sweden would be considered as scheduled in accordance with past procedure.

77. It was so decided.

The meeting rose at 6.05 p.m.